



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 29th day of March, 2022

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE G.CHOCKALINGAM (Retd.)
and

Member

Mr.P.Ganesan, District Judge, Retd.

CMA.No.1762 of 2021

and

CMA.NO.2304 of 2021

(Appeals against the judgment and decree dated 17.12.2019
made in M.C.O.P.No.1268 of 2017 on the file of the Motor
Accidents Claims Tribunal Special Sub Judge, Cuddalore)

1. A.Kala

2. D.Asaithambi

..Appellants in CMA.No.1762 of 2021

..Respondents 1 & 2 in CMA.No.2304 of 2021

Vs.

1. S.Manoharan

..Third respondent in CMA.No.2304 of 2021

2. The Divisional Manager,
National Insurance Company Limited,
DO, 110, JN Street,
Puducherry - 605 001.

..Respondents 1 & 2 in CMA.No.1762 of 2021

..Appellant in CMA.No.2304 of 2021

These cases came up for settlement before the Lok Adalat.
Both the parties are present in both the appeal.
Mr.S.Ravikumar, Administrative Officer of National Insurance
Company Limited is present. Mr.S.Arunkumar, counsel for the
Insurance Company and Ms.Ramya.V.Rao, counsel for the claimants
are present. After mutual discussion, negotiation, mediation and
conciliation between both parties, they arrived at a compromise
to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.13,54,220/- with
interest at 7.5% per annum from the date of petition till the
date of deposit and costs as compensation. It is represented by



the appellant / National Insurance Company in CMA.No.2304 of 2021 that they have already deposited the entire award amount as per the stay of the High Court before the Tribunal.

2. Aggrieved by the award of the Tribunal, the National Insurance Company Limited as well as the claimants had filed these appeals one for reducing the claim amount and the other for enhancing the claim amount.

3. After due deliberation and consultation, both the parties have agreed to allow a further sum of Rs.1,50,000/- (Rupees one lakh fifty thousand only) in full quit over and above the lower court award as compensation.

4. The National Insurance Company Limited is directed to deposit the above said enhanced award amount within a period of eight weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimants are entitled to their share as per the apportionment fixed by the Tribunal. The claimants / appellants 1 and 2 in CMA.No.1762 of 2021 are permitted to withdraw their share without filing any formal petition.

6. In view of the settlement arrived at between both the parties, the appeal in CMA No.1762 of 2021 is disposed of and the appeal in C.M.A.NO.2304 of 2021 is dismissed. Consequently, connected Miscellaneous Petitions are closed if any. Award is passed accordingly.

7. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal are disposed of accordingly. The connected miscellaneous petition is closed.

Sd/-

1. A.Kala

sd/-

2. D.Asaithambi

sd/-

Counsel for Appellants in CMA.No.1762 of 2021
Counsel for Respondents in CMA.No.2304 of 2021



sd/-
The Divisional Manager,
National Insurance Company Limited,
DO, 110, JN Street,
Puducherry - 605 001.

sd/-
Counsel for the Respondents in CMA.No.1762/2021
Counsel for Appellant in CMA.No.2304 of 2021

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

sd/-
Judge

sd/-
Member

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Special Sub Judge, Cuddalore
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

CMA.No.1762 of 2021
and
CMA.NO.2304 of 2021

SRA (CO)
SP (22/04/2022)